

# **Michigan Commission on Law Enforcement Standards**

## **BYLAWS**

### **Article I NAME, PURPOSE, and POWERS**

The Michigan Commission on Law Enforcement Standards established and derives its authority and responsibilities under Public Act 203 of 1965, as amended; Public Act 302 of 1982, as amended; and Executive Order 2001-5. The Commission is responsible for the advancement of Michigan law enforcement and criminal justice through standards and training.

### **Article II MEMBERSHIP, APPOINTMENTS, RESIGNATION, and TERMINATION**

- A. **Membership.** Commission membership shall be designated, as prescribed in Executive Order 2001-5. The Executive Director of the Commission shall sit as an ex-officio member and may participate in Commission discussions.
- B. **Resignation.** Resignations from the Commission shall be made to the Governor, in conformance with MCL § 201.1.1.
- C. **Removal.** The Commission may recommend to the Governor removal of a Commission member from the Commission, in conformance with Article V, Section 10 of the Constitution of 1963.

### **ARTICLE III ELECTION of OFFICERS, ORGANIZATION of the COMMISSION**

**A. Election of Officers and Organization of the Commission.** The Commission shall annually elect, by a majority of those present, a Chairperson and Vice Chairperson. The Commission Chair and Vice Chair shall be eligible for reelection except that, after serving two consecutive terms, no person shall be eligible for reelection to their respective position for one year. The election shall be held at the regularly-scheduled Commission meeting in December. The term of office for both the Chair and the Vice Chair shall comprise one calendar year, commencing on January 1<sup>st</sup>, and ending on December 31<sup>st</sup>. The Chairperson shall take the vote for each candidate by a show of hands, or by voice vote.

- 1. **Nominations.** The Chairperson shall annually appoint an ad hoc nominations committee for the purpose of reviewing candidates for the office of Chair and Vice Chair. The appointment of the nominations committee shall take place at the regularly scheduled meeting held in October. The nominations committee shall

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fairly reflect the Commission as a whole, in the discretion of the Chairperson. At the regularly scheduled December meeting, the nominations committee Chairperson shall report out to the full Commission and submit nominations for each office. The committee shall make every effort to identify and nominate one candidate for each office. Following the report, the Committee is discharged, and the floor shall be opened for additional nominations. Any committee member, or any member of the Commission, may nominate a candidate for either office. No second is required to nominate a candidate.

2. **Vacancies.** A vacancy in the office of Chair or Vice Chair is recognized upon resignation or removal as described in Article II of the Bylaws, or upon death. The Vice Chair is recognized as the presiding officer if the Chair is vacant. In the event both the Chair and Vice Chair are vacant, the immediate past-Chair is recognized as the presiding officer. If the immediate past-Chair is not present, then the presiding officer shall be elected by majority vote of those present. Upon vacancy, the presiding officer shall re-form the nominations committee, and if necessary appoint new members to the committee at the first regularly scheduled Commission meeting. Elections shall then be held in accordance with Article III of the Bylaws at the next regularly scheduled Commission meeting.

B. **Standing Committees.** The Commission shall have the following standing committee(s):

1. **Executive Committee.** There shall be an Executive Committee of the Commission composed of ~~six~~ seven Commissioners. The members of the Executive Committee shall be the Commission Chair, the Vice Chair, the Director of the Department of State Police, the immediate past Chair of the Commission, the Chair of the Commission's Legislative Committee, a representative from the Detroit Police Department and one member at large appointed by the Chair. In the event that any member of the Executive Committee holds more than one position that would entitle him or her to membership on the Executive Committee, or in the event that the immediate past Chair of the Commission is no longer a Commission member, the Chair shall make any additional appointments necessary to ensure that the Executive Committee has seven members. The Executive Committee may make recommendations to the full Commission on any business to be considered by the Commission.
2. **Legislative Committee.** There shall be a legislative committee of the Commission composed of Commissioners reflecting the diversity of the Commission as a whole. The Commission Chair shall annually appoint Commissioners to serve on the committee and designate one as committee chair. The Commission Chair shall have the power to appoint member(s) to fill vacancies as they may occur. The legislative committee is created to advance the work of the Commission, including

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the objectives of effectuating the intent of Executive Order 2001-5 and the statutory mandate to recommend legislation. The legislative committee may make recommendations to the Commission Chair on any business to be considered by the Commission.

- C. **Ad Hoc Committees.** The Commission Chair, with the Commission's approval, may from time to time establish ad hoc committees of Commission members as may be necessary or desirable to facilitate the Commission's work. Ad hoc committees shall perform specific tasks, and then, after making final report to the Commission, be dissolved. The Chair, with the Commission's approval, may appoint non-Commission members to these committees when their addition is desirable to facilitate the Commission's work. Committee members that are non-Commission members shall be eligible to vote on committee recommendations. All committee recommendations shall be submitted to the Commission for appropriate action.

### Article IV MEETINGS, QUORUM REQUIREMENTS, and PARLIAMENTARY PROCEDURES

- A. **Regular Meetings.** The Commission shall meet no less than four times annually, as specified by MCL § 28.606 and shall, at its December meeting establish meeting dates for the ensuing year.
- B. **Special Meetings.** The Commission Chair or, in the Chair's absence, the Commission Vice Chair, may call a special meeting of the Commission upon determination that business of the Commission requires action prior to the next regularly scheduled meeting. The Chair or, in the Chair's absence, the Vice chair, shall call a special meeting upon the written request of five members of the Commission. The agenda for a special meeting of the Commission shall be limited to the specific items for which the meeting was called.
- C. **Emergency Meeting.** On a vote of two-thirds of the membership, the Commission may hold an emergency meeting requiring action on an issue in which public health, safety or welfare is severely threatened.
- D. **Quorum.** A quorum must be present for transaction of Commission business. The majority of the serving Commissioners shall constitute a quorum.
- E. **Presiding Officer.** The Commission Chair shall preside at all Commission meetings. The Vice Chair shall preside in the Chair's absence. The remaining members shall elect a presiding officer among the members present whenever the Chair and the Vice Chair are both absent. The presiding officer shall serve only for that meeting or until the Chair or Vice Chair arrives.

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- F. **Agenda for Regular Meetings.** A proposed agenda of all known business to be conducted by the Commission shall be prepared for all regular meetings of the Commission. The Commission staff in consultation with the Commission Chair shall prepare the agenda. The requirement for an agenda shall not interfere with the Commission's statutory responsibility to conduct discussions and take action pursuant to Public Act 203 of 1965 and Public Act 302 of 1982, as amended. The agenda for a regular meeting of the Commission shall include the following.
- 1) *Call to Order.*
  - 2) *Introduction of Commissioners and Guests.*
  - 3) *Public Comments.* Members of the public are provided the opportunity to make comment to the Commission. Public comment to the Commission shall be limited to 3 minutes unless this requirement is waived by the Chair.
  - 4) *Report of Commission Legal Counsel.* The Commission attorney may present a report to the Commission.
  - 5) *Additions to the Agenda.*
  - 6) *Consent Agenda.* The consent agenda shall consist of agenda items, which the Chair believes will not require extensive debate. Any Commissioner may request the removal of an item from the consent agenda, to the business agenda.
  - 7) *Approval of Minutes from the Previous Meeting.*
  - 8) *Report of the Commission Chair, if any.*
  - 9) *Report of the Executive Director.* The Executive Director may deliver a report to the Commission.
  - 10) *Committee Reports, if any.* Standing or ad hoc committees may deliver reports to the Commission.
  - 11) *Business Agenda*
    - A. *New Business.* The presiding officer opens discussion of new business, which appears on the agenda.
    - B. *Old Business.* The presiding officer shall open discussion of unfinished business from previous meeting(s), which appear(s) on the agenda.
  - 12) *Miscellaneous.* Any general items are discussed at this time if necessary.
  - 13) *Public Comment.* Any additional public comment (if any) is taken.
  - 14) *Announcement of Date, Time, and Location of Next Meeting.*
  - 15) *Adjournment*
- G. **Agenda for Special Meeting.** The agenda for a special meeting shall be limited to the items determined by the Chair or by the majority of the Commission members serving.
- H. **Commissioner Attendance at Meetings.** A Commissioner shall notify the Chair and/or staff of an intended absence.

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- I. **Parliamentary Procedure.** The presiding officer shall have the same voting rights as any Commission member in all questions brought before the Commission, including elections. Each meeting shall otherwise be conducted pursuant to *Roberts Rules of Order*, in so far as practicable and as interpreted by the presiding officer.

## Article V

### AMENDMENTS to BYLAWS

- A. **Amendments.** These bylaws may be amended by a majority vote of Commission members at any regular meeting, provided the proposed amendment or amendments have been sent to each committee member prior to the meeting.

## Article VI

### CONFLICTS OF INTEREST and ETHICS

- A. A member of the Michigan Commission on Law Enforcement Standards may participate in training funded by the Commission as a volunteer, accepting only reimbursement for actual expenses. "Actual expenses" includes, but is not limited to, mileage, food, lodging, and production of training material, but does not include any compensation for the members' time or salary reimbursement to the members' employer. A member of the Michigan Commission on Law Enforcement Standards shall not directly apply for, receive or accept any compensation from any Commission funding (e.g., Michigan Justice Training Fund, Training to Locals funding, or state general funds).
- B. A member of the Michigan Commission on Law Enforcement Standards shall recuse himself or herself from voting on the question of awarding funds to fund training that it is likely the member will attend or participate in any way. Members may always participate in discussion and debate concerning such grant proposal(s).
- C. A member of the Michigan Commission on Law Enforcement Standards shall not participate in discussion, debate or vote concerning possible sanctions of him/her or the agency that employs the member.